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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service as first class mail, under 37 C.F.R. §1.8, on December 2, 1999 and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

Peter J. Manso, Reg. No. 32,264

Dec. 2, 1999

December 2, 1999 Mailing Date

In re Application of:

Eugenio A. Cefali

Serial No.:

08/962,421

Filing Date:

October 31, 1997

Group Art Unit:

1615

Examiner:

Title:

J. Spear INTERMEDIATE

RELEASE NICOTINIC ACID

COMPOSITIONS FOR TREATING HYPERLIPIDEMIA WHICH EXHIBIT AN IN VIVO STAIR-STEPPED

ABSORPTION CURVE

Assistant Commissioner of Patents Washington, D.C. 20231

December 2, 1999

Sir:

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TRANSMITTAL

TECH CENTER 1600/2900

Transmitted herewith for filing, please find the following:

- (1) First Supplemental Amendment dated December 2, 1999; and
- (2) Return postcard.

To the extent any fees are due, including any extension of time fee for five months and any new claim fees, as a result of the First Supplemental Amendment filed herewith for which payment has not been made, the Assistant Commissioner of Patents is hereby authorized to charge such fees to our deposit account 50-0951/20720-95586. A duplication of this Transmittal paper is submitted herewith. A small entity status has been filed in this case.

FT053324;1

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If the Examiner should have any questions or require additional information or clarification, Applicant respectfully requests that the Examiner contact the attorney of record herein, Peter J. Manso, at the phone numbers noted below at your earliest convenience.

Respectfully submitted,

By and For

Akerman, Senterfitt & Eidson, P.C.

Dated: December 2, 1999

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